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Attorneys for Defendant Abbott Laboratories

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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CHURCH & DWIGHT CO., INC., : Honorable Garrett E. Brown, Jr., U.S.D.J.  
Plaintiff, : Civil Action No. 05 CV 2142 (GEB)  
v. :  
ABBOTT LABORATORIES, : **DEFENDANT ABBOTT LABORATORIES'**  
Defendant. : **NOTICE OF MOTION FOR JUDGMENT AS A**  
 : **MATTER OF LAW ON THE ISSUES OF**  
 : **INVALIDITY AND PRIORITY/DATE OF**  
 : **INVENTION PURSUANT TO FED. R. CIV. P.**  
 : **50(a)**  
 :  
 : **Filed Electronically**  
x

TO: Wanda Ellert, Esq.  
Proskauer Rose LLP  
One Newark Center  
Newark, New Jersey 07102  
Attorneys for Plaintiff

**PLEASE TAKE NOTICE** that on February 7, 2008, or as soon thereafter as counsel may be heard, the undersigned attorneys for Defendant, Abbott Laboratories moved before the Honorable Garrett E. Brown, Jr., U.S.D.J., at the United States District Court, Clarkson S. Fisher

Federal Building & U.S. Courthouse, 402 East State Street, Room 6000, Trenton, New Jersey 08608, for an Order granting its motion for judgment as a matter of law on the issues of invalidity and priority/date of invention pursuant to Fed. R. Civ. P. 50(a).

**PLEASE TAKE FURTHER NOTICE** that in support of said Motion, Abbott will rely upon the Brief submitted herewith.

WINSTON & STRAWN LLP  
Attorneys for Defendant  
Abbott Laboratories

By: /s/ James S. Richter  
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Dated: February 7, 2008

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**CERTIFICATION OF SERVICE**

I hereby certify that on February 7, 2008, copies of the foregoing Notice of Motion and supporting documents were electronically filed and served by e-mail upon the following:

Wanda Ellert, Esq.  
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One Newark Center  
Newark, New Jersey 07102  
Attorneys for Plaintiff

/s/ James S. Richter

James S. Richter

Dated: February 7, 2008